

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FREDRICK A. MOORE, JR., :
Plaintiff,
v. Case No. 3:13-CV-156
TRUE BLUE, INC., : JUDGE WALTER H. RICE
Defendant. :

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION (DOC. #5);
OVERRULING PLAINTIFF'S OBJECTIONS THERETO (DOCS. ##6 and
7); OVERRULING PLAINTIFF'S MOTION FOR LEAVE TO PROCEED *IN
FORMA PAUPERIS* (DOC. #1); DISMISSING CASE WITHOUT
PREJUDICE; TERMINATION ENTRY

On June 6, 2013, United States Magistrate Judge Michael J. Newman issued a Report and Recommendation (Doc. #5), noting that Plaintiff had failed to comply with the Court's Order to produce copies of his pay stubs, and recommending that Plaintiff's motion to proceed *in forma pauperis* (Doc. #1) be overruled, and the case be dismissed without prejudice to re-filing if Plaintiff paid the full filing fee and re-filed his Complaint within the appropriate limitations period.

Plaintiff has filed two sets of Objections to the Report and Recommendation, which are wholly unresponsive, given that they address the merits of his claim.¹ Because Plaintiff has failed to show that the Report and Recommendation is clearly

¹ The Objections filed on June 26, 2013 (Doc. #7) are untimely.

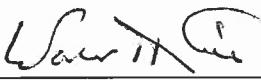
erroneous or contrary to law, his Objections (Docs. ##6 and 7) are OVERRULED.

See Fed. R. Civ. P. 72(a).

The Court ADOPTS the Report and Recommendation (Doc. #5) in its entirety, OVERRULES Plaintiff's motion to proceed *in forma pauperis* (Doc. #1), and DISMISSES this case WITHOUT PREJUDICE. Plaintiff may, if he so chooses, pay the full filing fee and re-file his Complaint within the appropriate limitations period.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division at Dayton.

Date: July 11, 2013



WALTER H. RICE
UNITED STATES DISTRICT JUDGE